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PHILIP S. JOHNSON  
JOHNSON & JOHNSON  
ONE JOHNSON & JOHNSON PLAZA  
NEW BRUNSWICK NJ 08933-7003

In re Application of FENTON et al.  
Application No.: 10/587,733  
PCT No.: PCT/GB04/00405  
Int. Filing: 03 February 2004  
Priority Date: 03 February 2003  
Attorney Docket No.: DEP5043  
For: AN INSTRUMENT FOR POSITIONING A  
CUP COMPONENT OF AN ORTHOPAEDIC  
JOINT PROSTHESIS

DECISION ON  
PETITION TO REVIVE  
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 27 July 2006 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that the "entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee of \$300 has been provided. The required petition fee of \$1500 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing, including issuance of a Notification of Missing Requirements indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and the \$130 surcharge for filing the oath or declaration after the thirty month period, is required.

*Cynthia M. Kratz*

Cynthia M. Kratz  
Attorney Advisor  
PCT Legal Office  
Office of PCT Legal Administration

Telephone: (571) 272-3286  
Facsimile: (571) 273-0459